

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

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GRACE CHEN and DANIELLE  
VILLARREAL, individually and on behalf  
of all others similarly situated,

Case No. 1:23-cv-1129-JMB-PJG

Plaintiffs,  
v.

District Judge: Jane M. Beckering  
Magistrate Judge: Phillip J. Green

HILLSDALE COLLEGE,

Defendant.

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**DEFENDANT HILLSDALE COLLEGE'S MOTION TO DISMISS  
THE AMENDED CLASS ACTION COMPLAINT FOR FAILURE TO STATE  
A CLAIM UPON WHICH RELIEF CAN BE GRANTED**

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Defendant Hillsdale College, through its undersigned counsel, hereby moves to dismiss Plaintiffs' Amended Class Action Complaint (PageID.221–269) with prejudice under Federal Rule of Civil Procedure 12(b)(6) on the following grounds: (1) Hillsdale's status as a tax-exempt institution does not alone render Title IX applicable to Hillsdale and, even if Title IX did apply, Plaintiffs fail to state a Title IX claim for Gender Discrimination or Retaliation; (2) Plaintiffs fail to state a claim of negligence; (3) Plaintiffs fail to state a claim for intentional infliction of emotional distress; (4) Plaintiffs fail to state a claim under the Elliott-Larsen Civil Rights Act; and (5) Plaintiffs fail to state a claim under the Michigan Consumer Protection Act.

WHEREFORE, for these reasons and those stated more fully in the concurrently filed brief, Defendant respectfully requests that this Court grant

Defendant's motion to dismiss Plaintiffs' Amended Class Action Complaint in its entirety with prejudice.

Dated: February 1, 2024

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Respectfully submitted,

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